

Message Text

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PAGE 01 STATE 306553
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TO AMEMBASSY NICOSIA IMMEDIATE
AMEMBASSY ANKARA IMMEDIATE
USMISSION GENEVA IMMEDIATE
INFO AMEMBASSY ATHENS
USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 306553

EXDIS

E.O. 11652: GDS

TAGS: PGOV, CY

SUBJECT: CYPRUS MISSING PERSONS

REF: (A) NICOSIA 3326 (B) GENEVA 12059 (C) STATE 302118

1. DEPARTMENT CONCURS IN NEGOTIATING SEQUENCE TENTATIVELY
AGREED UPON BETWEEN AMBASSADOR CRAWFORD AND DENKTASH ON
DECEMBER 20 (PARA 4, REF A), ALTHOUGH OUR FEELING IS THAT
NO TIME SHOULD BE LOST IN RESUMING CONVERSATIONS ONCE ONHON
RETURNS FROM ANKARA. WE HAVE LEARNED FROM RECENT CON-
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VERSATIONS IN NEW YORK THAT THE U.N. SECRETARIAT, DESPITE
OPERATIVE PARAGRAPH ONE OF THIRD COMMITTEE RESOLUTION,
DOES NOT WISH TO INVOLVE ITSELF ANY FURTHER IN SUBSTANCE OF
MISSING PERSONS NEGOTIATION. WE BELIEVE, HOWEVER, THAT
WALDHEIM WOULD NOT OBJECT TO PUTTING HIS IMPRIMATUR
DURING JANUARY 14-16 VISIT ON AN AGREEMENT THAT HAD ALREADY
BEEN CONCLUDED. INCIDENTALLY, WE FIND DENKTASH'S SUDDEN

CONVERSION TO ADHERENCE TO U.N. RESOLUTIONS AND DEFERENCE TO THE SECRETARY GENERAL TO BE LESS THAN FULLY CREDIBLE; EITHER HE WAS SEEKING TO PERPETUATE THE PRESENT DEADLOCK WHILE ABSOLVING HIMSELF OF BLAME, SUSPECTING--QUITE CORRECTLY--THAT THE U.N. WOULD NOT WANT TO INVOLVE ITSELF FURTHER, OR ELSE HIS MOTIVE MAY HAVE BEEN TO DISSUADE THE U.S. FROM PLAYING A MAJOR INTERMEDIARY ROLE IN FUTURE

NEGOTIATIONS. WE WOULD BE INTERESTED IN YOUR VIEWS ON THIS.

2. WE ARE FULLY SYMPATHETIC TO THE ICRC'S DESIRE NOT TO BECOME EMBROILED IN POTENTIAL GREEK CYPRIOT/TURKISH CYPRIOT DISPUTES AS A CONSEQUENCE OF COMMITTEE VOTING PROCEDURES. AND WE ACCEPT THE POINT THAT IN THE CONTEXT OF A WORKING GROUP SEEKING MERELY TO GATHER INFORMATION THE ENTIRE QUESTION OF FORMAL DECISION-MAKING MAY PROBABLY BE IRRELEVANT. IN OUR VIEW IT WAS UNFORTUNATE THAT THE GREEK CYPRIOTS ORIGINALLY CHOSE TO INSIST THAT THIS BE SPECIFICALLY ADDRESSED IN THE AGREEMENT. NEVERTHELESS, THE ISSUE OF PRINCIPLE HAS NOW BEEN SQUARELY JOINED, AND WE CANNOT AT THIS POINT ENVISAGE THE GREEK CYPRIOTS BACKING DOWN AND CONSENTING TO OMISSION OF THE CONTENTIOUS PARAGRAPH. IT WOULD SEEM TO US THAT SOME COMPROMISE FORMULATION OR SEPARATE UNDERSTANDING TO THE EFFECT THAT MAJORITY VOTE WILL OBTAIN IN THE ABSENCE OF CONSENSUS IS A SINE QUA CONFIDENTIAL

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NON OF A FINAL AGREEMENT.

3. UNDER CIRCUMSTANCES, WE BELIEVE THAT OUR EFFORTS OVER THE NEXT WEEK OR SO SHOULD BE GEARED TO MAKING THE PRINCIPLE OF MAJORITY VOTING AS PALATABLE AS WE CAN TO THE TURKS AND TURKISH CYPRIOTS. THIS IS WHERE THE VIEWS OF THE ICRC AS EXPRESSED IN REFTEL B CAN PERHAPS BE PUT TO GOOD ADVANTAGE. WE COULD SEEK TO ALLAY FEARS THAT THE GREEK CYPRIOTS WILL EXPLOIT THEIR PUTATIVE MAJORITY FOR PROPAGANDISTIC ENDS BY POINTING OUT THAT, IN THE OPINION OF THE ICRC, A WORKING COMMITTEE SUCH AS THIS WOULD IN PRACTICE NOT BE CALLED UPON TO MAKE DECISIONS AS SUCH AND THAT VOTING PROCEDURES WERE THEREFORE LARGELY AN ACADEMIC QUESTION. THE ICRC, WE COULD ADD, IS PLAINLY SENSITIVE TO POSSIBLE ACCUSATIONS OF PARTIALITY AND WOULD NOT, IN OUR OPINION, LEND ITSELF TO ANY PROPAGANDA PLOYS ON THE PART OF EITHER SIDE. WE COULD INVITE THE TURKS AND TURKISH CYPRIOTS TO SEEK INDEPENDENT CONFIRMATION OF THESE VIEWS FROM THE ICRC, SHOULD THEY SO DESIRE.

4. AT THE SAME TIME, WE SHOULD ATTEMPT TO ALLAY TO EXTENT WE CAN THE CLEAR TURKISH CONCERN THAT ACCEPTANCE OF THE

PRINCIPLE OF MAJORITY RULE IN THIS INSTANCE WOULD SET A PRECEDENT FOR FUTURE BROADER CONSTITUTIONAL AND POLITICAL DISCUSSIONS ON CYPRUS. THIS MIGHT BEST BE DONE BY DRAWING TURKISH CYPRIOT ATTENTION TO RECENT GOC PUBLIC STATEMENTS--PAPADOPOULOS' PRESS CONFERENCE OF DECEMBER 12 BEING A CASE IN POINT--IN WHICH THE MISSING PERSONS ISSUE IS EXPLICITLY DEFINED AS HUMANITARIAN RATHER THAN POLITICAL IN NATURE, AND IN WHICH A CLEAR SEPARATION IS MADE BETWEEN PROGRESS

IN THIS SPHERE AND MOVEMENT TOWARDS AN OVERALL SETTLEMENT. WITH SUCH STATEMENTS ON THE RECORD, THE GREEK CYPRIOTS WILL HARDLY BE IN A POSITION TO CLAIM IN FUTURE NEGOTIATIONS THAT THE TURKISH SIDE HAD ALREADY COMMITTED ITSELF TO THE PRINCIPLE OF MAJORITY RULE.
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5. FOR ANKARA: IN FOLLOWING UP WITH FURTHER HIGH-LEVEL APPROACH TO MFA TO BUTTRESS COUNSELOR NIMETZ' REMARKS TO TO AMBASSADOR ESENBEL ON DECEMBER 21 (STATE 305588 AND PARA 4, REF C) YOU SHOULD ALSO DRAW ON POINTS IN PARA 3 AND 4 ABOVE IF YOU JUDGE THESE MIGHT BE HELPFUL.

6. FOR NICOSIA: WE HOPE THAT YOU WILL SIMILARLY BE ABLE TO MAKE USE OF THESE POINTS IN YOUR NEXT CONVERSATION WITH DENKTASH. WE DO NOT AT THIS STAGE WANT TO DO ANYTHING FURTHER RE CLIFFORD INVITATION TO DENKTASH BUT IF HE RAISES THIS SUBJECT YOU SHOULD REITERATE OUR VIEW THAT WORKING OUT TIMING AND MODALITIES WILL BE EASIER ONCE MISSING PERSONS COMMITTEE IS ESTABLISHED.

7. FOR GENEVA: WE SUGGEST YOU ENCOURAGE ICRC TO ENTER INTO DIRECT CONTACT WITH THE TWO CYPRIOT PARTIES IN ORDER TO CONVEY ITS VIEWS AS TO HOW THE PROPOSED MISSING PERSONS COMMITTEE WOULD IN PRACTICE FUNCTION. THIS MIGHT BE DONE BY HOCHE OR ANOTHER REPRESENTATIVE TRAVELLING TO NICOSIA FOR DIRECT CONVERSATIONS OR BY OTHER MEANS. INFORMAL ACCEPTANCE BY BOTH CYPRIOT PARTIES OF THE ICRC'S OPERATING CONCEPT AS GIVEN IN REFTEL B WOULD, WE BELIEVE, ALLAY THE ICRC'S OWN CONCERNS THAT IT MAY BE THRUST INTO THE MIDDLE OF GREEK CYPRIOT/TURKISH CYPRIOT DISPUTES. IT SHOULD, MOREOVER, DISPEL TURKISH AND TURKISH CYPRIOT FEARS THAT GREEK CYPRIOTS WOULD EXPLOIT THEIR PUTATIVE MAJORITY FOR PROPAGANDISTIC ENDS. VANCE

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